



A full hearing was held on this matter on September 25, 2014, attended by Beatriz Torres Dennis, as Personal Representative of the Estate of Andrew Orval Torres, deceased, William H. Ehliens, II, attorney for Beatriz Torres Dennis as Personal Representative of the Estate of Andrew Orval Torres, and W. Howard Boyd, Jr. of the firm Gallivan, White & Boyd, P.A., attorney for the City of Greenville.

A full and careful examination was made of the said Beatriz Torres Dennis in which she stated freely and unequivocally that she understood the settlement proposal as outlined in her verified petition, and she desired that the Court approve the settlement with the knowledge and understanding that upon approval and consummation of the settlement, no persons would have any further claims or causes of action against the City of Greenville, its officers, employees, agents, servants, representatives, or insurers on account of injuries and death of the said Andrew Orval Torres, deceased.

It further appears that the settlement proceeds being paid in settlement of all claims, asserted and unasserted, known and unknown, under the Wrongful Death Act and under the Survival Act, represent a full and adequate settlement under the facts and circumstances and that the petitioner would not be warranted in risking an adverse result in litigation in order to seek a higher sum.

Upon consideration of the verified petition of the said Beatriz Torres Dennis, and based on the examination and the testimony obtained by this Court, this Court is fully satisfied and concludes that the proposed settlement is reasonable and proper and in the best interests of both the statutory beneficiaries and the estate of the said Andrew Orval Torres, deceased, and should be approved.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. That the Court does hereby expressly approve the settlement proposal as set forth in the verified petition of Beatriz Torres Dennis, dated September 19, 2014.

2. That the City of Greenville's insurer pay, on behalf of the City of Greenville, the amounts due under the proposed settlement to Beatriz Torres Dennis as personal representative of the Estate of Andrew Orval Torres, deceased, in compliance with §§ 15-51-10, et seq., and § 15-5-90 of the 1976 Code of Laws of South Carolina, as amended.

3. That Beatriz Torres Dennis, as Personal Representative of the Estate of Andrew Orval Torres, deceased, is hereby authorized and directed, for the consideration outlined above, to execute and deliver on behalf of the Estate and statutory beneficiaries of Andrew Orval Torres, deceased, a release in writing, a copy of which is attached hereto as Exhibit A, is incorporated herein by reference, and is expressly approved by the Court.

4. That any and all responsibility for satisfying any liens, of any type whatsoever, including, but not limited to, any and all healthcare liens, medical liens, Medicare liens, medical assignments, Medicare assignments, subrogation claims, indemnity claims or other lien, assignment or claim of any type whatsoever, shall rest solely with the Plaintiff and her counsel and that the City of Greenville and its counsel shall have no responsibility therefor.

5. That out of the total settlement proceeds, Beatriz Torres Dennis, as Personal Representative of the Estate of Andrew Orval Torres, deceased, pay to William

H. Ehlies, II attorneys' fees in the amount of Two Hundred Thousand and No/100ths (\$200,000.00) Dollars out of the total settlement, plus costs in the amount of Fifty Three Thousand Two Hundred Sixty-Two and 31/100ths (\$53,262.31) Dollars, which the Court approves as a fair and reasonable payment for the legal services rendered by Mr. Ehlies on behalf of the Petitioner.

6. That upon payment as aforesaid to the Petitioner, as Personal Representative of the Estate of Andrew Orval Torres, the obligations of the City of Greenville, its officers, employees, agents, servants, representatives, and insurers, and all those who could be responsible for the actions of the City of Greenville, are fully and completely released and the City of Greenville is finally and forever discharged from any further responsibility in connection with the injuries and death of Andrew Orval Torres, deceased, and the City of Greenville is further relieved and discharged from any and all liability, obligations, or legal duties to ensure the appropriate or proper distribution of the settlement proceeds in accordance with § 15-51-42 of the 1976 Code of Laws of South Carolina, as amended.

IT IS SO ORDERED.



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J. Michelle Childs  
United States District Judge

Dated at Greenville, SC

This 29 day of September, 2014.